

## **DISTRICT VI ADVISORY BOARD MINUTES**

Monday July 19, 2000  
7:00 p.m.  
Evergreen Center, 2700 N. Woodland

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The District VI Advisory Board meeting was held at Evergreen Recreation Center, 2700 N. Woodland.

### **Members Present**

Doratheia Sloan  
Sharon Fearey  
Bob Schreck  
C. Bickley Foster  
Clarence Wiley  
Wendell Turner  
Gregory Chinn  
Veronica Casados

### **Members Absent**

Linda Matney  
Tony Rangel  
John Van Walleghen

### **Guests**

Dean Pressnall  
Larry Menges  
Steve Wynn

**Council Member Joan Cole** called the meeting to order at 7:03 p.m.

The minutes for July 10, 2000 were postponed for approval until the regular August meeting.

The agenda was approved as amended to include the following items: #6) Update on Alternative Correctional Housing and the Arts and Crafts Center; and #7) Presentation by **Mr. Foster** on the Golden Rules of Zoning Cases.

### **PUBLIC AGENDA**

*No items were submitted.*

### **PLANNING**

#### **1. Paving of Alley between 10<sup>th</sup> and 11<sup>th</sup> Street and Mead to Mosley.**

The item was postponed from the July 10, 2000 Meeting so Staff could re-notify owners in the improvement area due to the previous short notification time period and for a better survey of the area.

**Gene Rath**, Assistant City Engineer in Public Works, provided a brief background of the paving request. **Mr. Larry Menges**, Kansas Bumper and Body Parts, owns 51% of the improvement area and is requesting pavement of the alley. After re-notification, **Mr. Rath** stated the protest to the paving petition, still comprised only 17% of the area.

**Mr. Rath** also stated the survey work indicated that any drainage concern would be addressed with the current paving plan.

**Larry Menges** spoke on the justification for the paving. **Mr. Menges** indicated the alley created a drainage problem that resulted in mud being tracked through his business. He had initially offered to pave the alley at his own expense with asphalt, but the City denied that request.

**Mr. Menges** stated that he does not want to cause problems with his neighbors; however, he does not feel that since others will benefit from the paving that he should not burden the entire cost.

**Clarence Wiley** clarified the property lines.

**Steve Wynn**, representing Seneca Property Owners, stated that the paving assessment is a significant expenditure, especially given the value of the property. **Mr. Wynn** stated that while **Mr. Menges** may legally own 51% of the property, that there was not majority support by the land owners. **Mr. Wynn** stated by supporting the petition the District Advisory Board was favoring property ownership instead of the democratic process of one vote per person.

**Doratheia Sloan** asked the cost of the project. **Mr. Rath** stated that total cost was estimated to be \$75,000, which would result in a \$12-14 a month assessment.

**Councilmember Cole** requested the item return to the Board for discussion.

**Bickley Foster** stated these are always difficult decisions. He posed three questions to **Mr. Rath**: 1) Is there a City policy on paving alleys? **Mr. Rath** responded that he was not aware of a formal policy. However, it was always the Staff position to support any paving project with 50% approval (whether by land area ownership or by percentage of land owners) and that in his tenure with the City, the Council has always supported that position; 2) Does the railroad right-of-way eliminate any real access to the street? **Mr. Rath** said he agreed it was limited; and 3) Did Staff explore the possibility of paving half the alley to assist **Mr. Menges**, but not impact the others? **Mr. Rath** said paving half was possible.

**Wendell Turner** stated that he felt the criteria had been met and the alley should be paved. The people speaking against the petition only represented 17% of the property.

**Bob Schreck** stated that he felt paving half of the alley would solve the problem and not impose an unwanted assessment on others.

**Sharon Fearey** explained she disagreed with only paving half of the alley because it could set a bad precedent for the future. In addition, she agreed with **Mr. Turner** in that the requirements had been met for the petition.

**Veronica Casados** said she understood both sides and thought paving half would be the best solution.

**Sloan** explained she felt that in the long run it would be best to have the entire alley paved and bring more value to the area. **Foster** agreed and stated the City would have to maintain pavement less and it would provide connection to the other areas.

**Schreck (Casados)** moved to recommend to pave half of the alley. Motion failed 6-2 (**Foster, Sloan, Wiley, Fearey, Turner, Chinn**).

**Sloan (Wiley)** moved to recommend paving of entire alley. Motion passed 7-1 (**Casados**).

**Councilmember Cole** explained that her position has always been to support the paving of any street, or in this case alley.

## **COUNCIL AGENDA**

### **2. Update on the North Midtown Plan**

**Fearey** provide a brief update on the North Midtown Plan. Highlights from the plan include: 1) Widen street for turn lane at Broadway and Arkansas, but Waco has not been determined; 2) Ensure safety of sidewalk traffic; 3) Develop streetscaping plan; and 4) Investigate Mercado area.

In addition, community police will be meeting with business owners to attempt to develop a business association for the area.

KPTS may be looking to move, so the committee will be working to keep the company in the area.

There will be a final meeting on August 21 and then there will be a public hearing on the plan.

### **3. Fire Relocation Study**

**Councilmember Cole** asked the Members for their input on how to bring closure to the item. At the joint presentation, she had stated there would be an opportunity for future discussion from the Members.

**Turner** stated he had discussed the issue with fire personnel at Station Four and was unsure how he felt about the issue.

**Cole** suggested that it might be beneficial to have a representative from Fire attend the next DAB VI meeting for more information.

### **4. Access Management Task Force**

**Councilmember Cole** explained the Access Management Task Force was established to address traffic issues mostly in developed areas, such as Rock Road or Ridge Road. She

has asked **Bob Schreck** to represent District VI. **Sloan (Chinn)** moved to confirm **Bob Schreck** to the Task Force. Motion passed unanimously.

## **5. Problem Properties**

Three properties were reported: 1) House on Emporia between 1331 and 1345, there is trash on the side; 2) Salvage yard in alley between 11<sup>th</sup> and 10<sup>th</sup>, Mosley and Mead, there are poor conditions and grass; and 3) Big Ditch, West of Wormer, trees were left after cutting.

## **6. Update on Alternative Correctional Housing and the Arts and Crafts Building**

### **A. Arts and Crafts Building**

The Park Board denied the request from the SER Corporation for the current building to be torn down. An initial estimate for rehabilitating the current building range from \$75,000-560,000. SER has indicated a willingness to pay for two-thirds of the \$560,000 if the City would be pay for the other third. Council has approved for Staff and SER official to meet to discuss alternatives. There has been no additional financial commitment from the City at this point.

**Turner** expressed his frustration that the SER Corporation has had the lease of the building for a year and a half and nothing has been done.

### **B. Alternative Correctional Housing**

**Council Member Cole** provide a brief history of the background and purpose of the Alternative Correctional Housing Board. Representatives from the corrections field and neighborhood leaders worked with City and County elected officials to establish guidelines for licensing requirements to ensure the safety of neighborhoods and residents of the facilities.

The County recently withdrew from participation of the Board and had also amended the ordinance for the County to allow residents to work for the facilities in non-supervisory positions.

At the July 18, City Council Meeting, the initial intent was for the City Council, through an ordinance change, to appoint the County's previous appointments to the Board. Instead, the City Council voted to take away the standard that residents cannot work for the correctional facility and to discuss the make-up of the Board in 30 days. **Council Member Cole** did not vote in favor of this change and did not know that the Council was planning to make these changes.

**Council Member Cole** provided example of residents working for correction facilities, where the resident has handled privileged information. She expressed extreme concern of the Council's action.

## 7. Zoning Criteria

**Councilmember Cole** asked **Bickley Foster** to provide a brief overview of the criteria used to determine approval or disapproval of zoning cases. **Foster** explained the importance of the DABs to provide quality information that is pertinent to zoning cases to the Metropolitan Area Planning Commission (MAPC) for the DABs opinion to be taken seriously and to be of use to the MAPC.

**Foster** explained that unlike other decisions made by governing bodies, or the District Advisory Board, zoning cases are not “political” decisions or decisions solely based on a person’s opinion. Zoning cases have to be decided on certain principles or requirements. This criteria was established in the Golden v. Overland Park (1978), and since that time have been referred to as the “Golden Rules.” Any zoning case the DAB hears, must have the “Golden Rules” associated or cited as a part of the recommendation for it to be of use.

Foster then reviewed the 10 Rules associated with Golden. **Mr. Foster** expressed his desire for the other DABs to also follow this process.

**Council Member Cole** informed the Members that **Mr. Foster** had been appointed as the representative from District VI to the Comprehensive Plan Review Committee.

There being no further business, **Sloan (Fearey)** moved the meeting be adjourned at 9:43. The motion passed unanimously.